United States District Court
Northern District of California

1

2   UNITED STATES DISTRICT COURT

3   NORTHERN DISTRICT OF CALIFORNIA

4   SAN JOSE DIVISION

5

6   DESHAWN LEE CAMPBELL,   Case No. 12-cv-06089-BLF

          Petitioner,

7

          v.

8   **ORDER GRANTING JOINT
                                             ADMINISTRATIVE MOTION TO SEAL
     RANDY GROUNDS,   PORTIONS OF PRIOR DISCOVERY-
9   RELATED FILINGS**

          Respondent.
10   [RE: ECF 41]

11

12   Before the Court is the parties' Joint Administrative Motion to File Under Seal Portions of

13   Prior Discovery-Related Filings (ECF 41). The parties move to seal portions of briefs and exhibits

14   that were publicly filed in connection with a discovery motion brought by Petitioner on April 16,

15   2015 (ECF 26); portions of the Court's order thereon which was publicly filed on June 5, 2015

16   (ECF 32); and portions of briefs and exhibits that were publicly filed in connection with a related

17   motion to quash brought by the Santa Clara County District Attorney on June 19, 2015 (ECF 35).

18   The discovery motion sought information regarding an individual who may have knowledge of

19   facts relevant to this case. The motion to quash objected to the production of certain information

20   requested by Petitioner. The briefs and exhibits filed in connection with the discovery motion and

21   the motion to quash contain specific information regarding the individual in question that might be

22   sufficient to identify the individual. The Court's order addressing the discovery motion recites

23   and discusses some of that specific information. The parties request that the publicly filed

24   documents at issue be sealed in order to protect the individual's safety and that redacted versions

25   of the documents be publicly filed.

26   A party moving to seal judicial records that are filed in connection with a non-dispositive

27   motion must satisfy the "good cause" standard of Federal Rule of Civil Procedure 26(c).

28   *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006). In this district, a
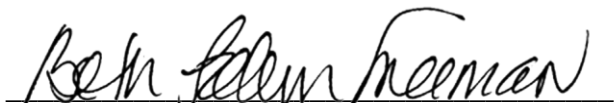
party moving to seal judicial records also must comply with Civil Local Rule 79-5, which requires

that a sealing request be "narrowly tailored to seek sealing only of sealable material." Civil L.R.

79-5(b). Here, the parties have shown good cause for sealing the records in question. Because of

the nature of the crime involved, allowing the documents in question to remain publicly available

in their entirety could put at risk the safety of the individual who may have relevant knowledge.

The redacted versions of the documents submitted by the parties are narrowly tailored to excise

information regarding the individual while leaving as much information as possible available to

the public.

     Accordingly, the parties' joint administrative motion is GRANTED as follows:

(1)   The Clerk shall seal the following documents (redacted versions of

    same to be publicly filed as set forth below):

(a)   Petitioner's Motion for Leave to Conduct Discovery (ECF 26), including all attachments thereto (ECF 26-1, 26-2, 26-3, 26-4, 26-5, 26-6, 26-7);

(b)   Petitioner's Motion to Shorten Time to Hear His Motion for Leave to Conduct Discovery (ECF 27);

(c)   Respondent's Opposition to Motion to Shorten Time (ECF 28);

(d)   Respondent's Partial Opposition to Discovery Motion (ECF 30);

(e)   Petitioner's Reply re Motion for Leave to Conduct Discovery (ECF 31);

(f)   Order Granting Petitioner's Motion for Leave to Conduct Discovery (ECF 32);

(g)   Santa Clara County District Attorney's Motion to Quash Portions of Subpoena, Etc. (ECF 35-1);

(h)   Petitioner's Opposition to Motion to Quash Portions of Subpoena (ECF 36); and

(i)   Santa Clara County District Attorney's Reply re Motion to Quash Subpoena (ECF 38-1) and supporting Declaration (ECF 38-2).

(2)   Petitioner shall publicly file the proposed redacted versions of (a), (b), (e), and (h);

(3)   Respondent shall publicly file the proposed redacted versions of (c), (d), (g), and

    (i); and

(4)   The Court shall publicly file the proposed redacted version of (f).

IT IS SO ORDERED.

Dated: 8/20/2015   _____
                                      BETH LABSON FREEMAN
                                      United States District Judge

United States District Court
Northern District of California